



# RESTRICTING ALCOHOL ADVERTISING IN PUBLIC SPACES:

## FOUR APPROACHES AT A GLANCE

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**A**lcohol advertising is ubiquitous in outdoor environments<sup>1</sup>. Indeed, public spaces are considered prime advertising spaces to reach a large clientele at once. Unfortunately, these unsolicited advertisements are seen by a diverse audience regardless of their personal characteristics, challenges or experiences. As a result, these ads may have a potential influence or harmful impacts on the health and habits of the population or of specific individuals.

Indeed, exposure to alcohol advertising is recognized as an influencing factor on purchasing behaviour, perceptions, habits, and levels of alcohol consumption, particularly among minors, people who already consume more alcohol products than average, and people at risk of dependence<sup>2,3,4,5,6,7</sup>.

Policies aimed at reducing this exposure by regulating advertising practices are among the most efficient and cost-effective measures identified<sup>8,9,10,11</sup>. In May 2022, following its 75<sup>th</sup> World Health Assembly, the World Health Organization (WHO) reiterated its goal of making alcohol harm reduction a public health priority<sup>12</sup>. To achieve this, and as recommended in its *Global Strategy to Reduce the Harmful Use of Alcohol*<sup>13</sup> and *Global Alcohol Action Plan 2022-2030*<sup>14</sup>, the WHO is focusing on alcohol marketing restrictions to reduce exposure to advertising and promotion.

This overview of provincial and international initiatives aims to provide a better understanding of actions that may be implemented to restrict advertising in the public space.

## The concepts of public space and outdoor advertising

The public space is defined as “all spaces intended to be open and accessible to all, without restriction, including space for circulation (road network) and gathering spaces (parks, public squares, etc.)”<sup>15</sup>.

As part of consultations to adopt restrictions on alcohol marketing, the Scottish Government<sup>16</sup> has defined “outdoor advertising” to include all advertising featured on billboards, digital posters or printed materials displayed in, on or near:

- Public transit (stops and stations);
- Motor vehicles including buses and taxis;
- Sports and recreation facilities (including parks);
- Commercial buildings and shopping malls;
- Establishments holding a liquor license (bars and restaurants).

While these public spaces are prime advertising spaces to reach a large clientele at once, they are also frequented by a diverse audience regardless of age, socioeconomic status, education level, relationship to alcohol or other personal characteristics (e.g., minors, pregnant and parenting people, motorists, etc.). This unsolicited advertising can have a harmful impact of the health of the population in general and specific individuals in particular.

## Prince Edward Island: Partial restrictions on advertising displays

Prince Edward Island restricts outdoor alcohol advertising. Section 50 of the *Liquor Control Act*<sup>17</sup>, which is in force in the province, prohibits anyone from disseminating or displaying alcohol-related advertisements or messages by means of a sign, poster or panel in public spaces, with certain exceptions provided by law.

Regulations under the Act<sup>18</sup> also specify that, with the exception of educational and awareness-raising publicity, alcohol-related advertising is prohibited:

- On billboards, outdoor posters and transit shelters;
- On motor vehicles (except trucks or vehicles used by manufacturers of alcoholic beverages).

Furthermore, regulations also prohibit the display of alcoholic products in advertisements promoting moderation, responsible consumption or charity events.

The province does permit advertising displays of alcohol products inside certain establishments, such as airports, bus terminals, shopping malls, and licensed agencies and businesses.

The province of New Brunswick has adopted similar restrictions in its legislation (*Liquor Control Act*)<sup>19</sup>.



## Saskatchewan: Advertising restrictions focusing on minors

In 2008, the provincial government of Saskatchewan amended the advertising section of its *Alcohol and Gaming Regulation Act, 1997*. This amendment enabled the province's regulatory body, the *Saskatchewan Liquor and Gaming Authority (SLGA)*, the ability to specify and impose a definition of advertising targeted at minors (under 19 years of age) in its policies<sup>20 21</sup> as part of its efforts to enforce advertising restrictions.

Consequently, the province implemented a ban on advertising alcoholic beverages in places frequented by minors such as schools, school transportation, and places of worship, as well in certain media. To comply with this measure, no advertising may be displayed or broadcast:

- Less than 200 metres from elementary and secondary schools or places of worship.
- On buses specifically dedicated to the transport of minors.

Ontario has similar regulations<sup>22</sup>, while Ireland has gone further by incorporating this notion of minimum distance into its legislation<sup>23</sup>.

## The *Loi Évin* in France: Strict regulations on advertising in public spaces

In 1991, France adopted the "*loi Évin*", introducing strict regulations on the direct and indirect advertising of alcoholic beverages aimed at preventing alcohol-related harm and protecting the public<sup>24 25</sup>.

This legislative text, now integrated into France's public health code, the *Code de la santé publique* (articles L.3323-1 to L.3323-6)<sup>26</sup>, restricts advertising content to allow only information or messages of an objective nature (alcohol by volume, product description, content, etc.). Sponsorships by alcohol products are also prohibited.



The informative and objective advertisements are permitted only in certain media (written press, specific broadcast hours, posters, etc.) and are subject to certain conditions, such as not being broadcast in spaces and media targeting young people or sporting groups.

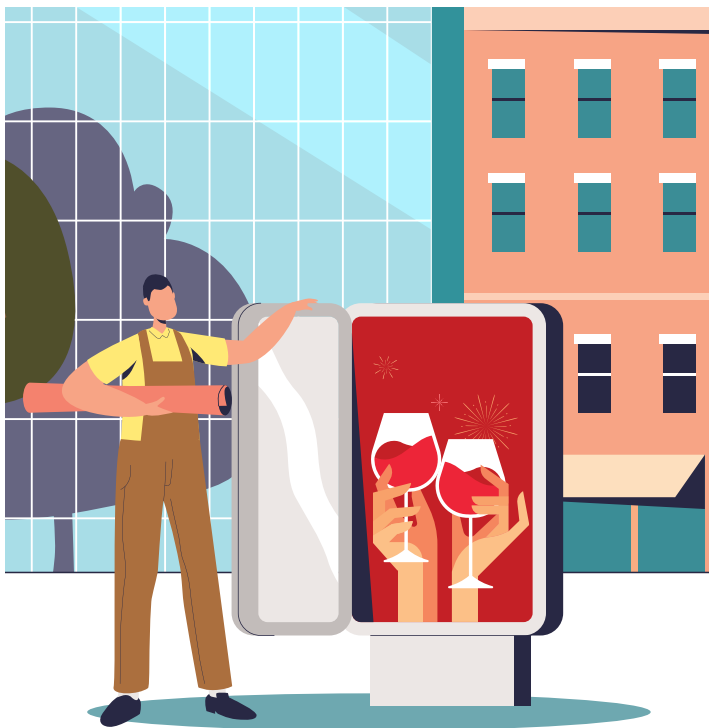
## New York City: Alcohol-free public transit and City property

Despite opponents pointing to potential revenue losses, New York City's *Metropolitan Transportation Authority* (or MTA) has banned alcoholic beverage advertisements from all its facilities and vehicles to reduce alcohol-related harm<sup>27</sup>. The revised MTA Advertising Policy became effective<sup>28</sup> by a unanimous resolution of the Board of Directors<sup>29</sup> on January 1, 2018.

To further reduce alcohol advertising exposure, in 2019, an Executive Order of the New York City's administration banned alcohol advertisements from all City properties such as bus shelters, newsstands, phone booths and kiosks. Restaurants, stadiums, concerts halls or other venues permitted to sell alcohol are exempt from the new regulation<sup>30</sup>.

## Conclusion

The various initiatives put in place to reduce exposure to advertising in public spaces are varied and easily adaptable to our realities. The different levels of government (federal or national, provincial and municipal) each have a role to play and the powers necessary to adopt measures aimed at improving the population's well-being. In order to achieve such a public health purpose, France (national level), Saskatchewan (provincial level), Prince Edward Island (provincial level) and New York City (municipal level) all adopted policies of different kind to regulate alcohol advertisements in public spaces. They could serve as examples to inspire other administrations. ■



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